

U.S. DISTRICT COURT
SAVANNAH, GA

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

DEC 14 AM 11:58


CLERK
U.S. DISTRICT COURT
SAVANNAH, GA

CHARLES DIXON,)
)
Petitioner,)
)
v.) CASE NO. CV411-196
)
WARDEN ROBERT TOOLE)
)
Respondent.)
)

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 19), to which no objections were filed. After a careful de novo review of the record, the Court concurs with the report and recommendation. Accordingly, the report and recommendation is **ADOPTED** as the Court's opinion in this case, and Petitioner's 28 U.S.C. § 2254 Petition is **DENIED**.¹ As noted in the report and recommendation, the Court declines to grant Petitioner a Certificate of Appealability, rendering moot any request for leave to appeal in forma pauperis. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 14th day of December 2011.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ Consequently, Respondent's Motion to Dismiss (Doc. 13) is **DISMISSED AS MOOT**.